

HOUSE BILL No. 1602

DIGEST OF INTRODUCED BILL

Citations Affected: IC 9-13-2; IC 9-29-5-3; IC 13-20-22-1.

Synopsis: Registration of light trucks as passenger vehicles. Includes a truck with a declared gross weight equal to or less than 10,000 pounds in the definition of a passenger motor vehicle for purposes of the motor vehicle law. Makes conforming amendments. Provides that the fee for disposing of solid waste generated in or outside Indiana and delivered to a final disposal facility in a passenger motor vehicle weighing not more than 9,000 pounds is \$0.50 per load

Effective: July 1, 2007.

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January 23, 2007, read first time and referred to Committee on Ways and Means.

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Introduced

First Regular Session 115th General Assembly (2007)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2006 Regular Session of the General Assembly.

HOUSE BILL No. 1602

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 9-13-2-123, AS AMENDED BY P.L.219-2005,
2 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2007]: Sec. 123. (a) "Passenger motor vehicle" means, except
4 as provided in subsection (b), a motor vehicle designed for carrying
5 passengers. The term includes a low speed vehicle but does not include
6 a motorcycle, a bus, a school bus, or an off-road vehicle. **After**
7 **December 31, 2007, the term includes a truck with a declared gross**
8 **weight equal to or less than ten thousand (10,000) pounds.**

9 (b) For purposes of IC 9-19-10, the term includes buses, school
10 buses, and private buses, and excludes trucks, tractors, and recreational
11 vehicles.

12 SECTION 2. IC 9-13-2-188, AS AMENDED BY P.L.210-2005,
13 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
14 JULY 1, 2007]: Sec. 188. (a) **Except as provided in section 123(a) of**
15 **this chapter**, "truck" means a motor vehicle designed, used, or
16 maintained primarily for the transportation of property.

17 (b) "Truck", for purposes of IC 9-21-8-3, includes the following:

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(1) A motor vehicle designed and used primarily for drawing another vehicle and constructed to carry a load other than a part of the weight of the vehicle and load drawn.

(2) A motor vehicle designed and used primarily as a farm implement for drawing plows, mowing machines, and other implements of agriculture.

SECTION 3. IC 9-29-5-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 3. (a) Except as otherwise provided in this chapter, the annual registration fee for:

(1) a truck subject to registration under IC 9-18; and

(2) a tractor not used with a semitrailer, a traction engine, or other similar vehicle used for hauling purposes;

is as follows:

Declared Gross Weight (Pounds)		Fee
Greater than	Equal to or less than	
0	7,000	\$ 20
7,000	9,000	40
9,000	10,000	70
10,000	11,000	75
11,000	16,000	135
16,000	20,000	175
20,000	23,000	235
23,000	26,000	235
26,000	30,000	295
30,000	36,000	413
36,000	42,000	506
42,000	48,000	627
48,000	54,000	730
54,000	60,000	810
60,000	66,000	858
66,000		956

This subsection expires January 1, 2008.

(b) Effective January 1, 2008, except as otherwise provided in this chapter, the annual registration fee for:

(1) a truck subject to registration under IC 9-18; and

(2) a tractor not used with a semitrailer, a traction engine, or other similar vehicle used for hauling purposes;

is as follows:

Declared Gross Weight (Pounds)		Fee
Greater than	Equal to or less than	
10,000	11,000	\$ 75
11,000	16,000	135

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1	16,000	20,000	175
2	20,000	23,000	235
3	23,000	26,000	235
4	26,000	30,000	295
5	30,000	36,000	413
6	36,000	42,000	506
7	42,000	48,000	627
8	48,000	54,000	730
9	54,000	60,000	810
10	60,000	66,000	858
11	66,000		956

SECTION 4. IC 13-20-22-1, AS AMENDED BY P.L.131-2006, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 1. (a) Unless the legislative body of a county having a consolidated city elects by ordinance to participate in the rules, ordinances, and governmental structures enacted or created under this chapter, the collection of fees on the disposal of solid waste in a final disposal facility located in that county are exempt until December 2, 2008, from regulation or control under this chapter.

(b) A fee is imposed on the disposal or incineration of solid waste in a final disposal facility in Indiana. Except as provided in section 14 of this chapter, the amount of the fee is as follows:

(1) For solid waste generated in Indiana and delivered to a final disposal facility in a motor vehicle having a registered gross vehicle weight greater than nine thousand (9,000) pounds, fifty cents (\$0.50) a ton.

(2) For solid waste generated outside Indiana and delivered to a final disposal facility in a motor vehicle having a registered gross vehicle weight greater than nine thousand (9,000) pounds:

(A) fifty cents (\$0.50) a ton; and

(B) if the solid waste management board has adopted rules under subsection (c), an additional amount imposed under the rules.

(3) For solid waste generated in Indiana or outside Indiana and delivered to a final disposal facility in:

(A) a motor vehicle having a registered gross vehicle weight of not more than nine thousand (9,000) pounds; or

(B) a passenger motor vehicle (as defined in IC 9-13-2-123); fifty cents (\$0.50) for each load delivered by the motor vehicle.

(4) Effective January 1, 2008, for solid waste generated in Indiana or outside Indiana and delivered to a final disposal facility in a passenger motor vehicle having a registered gross

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vehicle weight of not more than nine thousand (9,000) pounds, fifty cents (\$0.50) for each load delivered by the passenger motor vehicle.

(c) The solid waste management board may adopt rules to establish and impose a fee on the disposal or incineration of solid waste that is:

(1) generated outside Indiana; and

(2) disposed of or incinerated in a final disposal facility in Indiana.

If rules are adopted under this subsection, the fee shall be set at an amount necessary to offset the costs incurred by the state or a county, municipality, or township that can be attributed to the importation of the solid waste into Indiana and the presence of the solid waste in Indiana.

(d) Revenue from fees collected under subsection (b)(1) and (b)(2)(A) shall be deposited in the state solid waste management fund established by section 2 of this chapter. Revenue from fees collected under subsection (b)(2)(B) shall be deposited in the hazardous substances response trust fund established by IC 13-25-4-1, except that any part of the revenue that the board finds is necessary to offset costs incurred by counties, municipalities, and townships shall be distributed to solid waste management districts pro rata on the basis of the district's population.

(e) If solid waste has been subject to a fee under this section, the total amount of the fee paid shall be credited against any other fee to which the solid waste may later be subject under this section.

(f) A fee may not be imposed upon material used as alternate daily cover pursuant to a permit issued by the department under 329 IAC 10-20-13.

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